

Claimant testified that she developed symptoms, later diagnosed as bilateral carpal tunnel syndrome, beginning in August of 1993 and continuing through November 1994. Claimant attributes the onset and development of symptoms to her job duties which included cleaning rooms and typing.

Respondent introduced evidence of claimant's substantial bowling activities and argues that the bowling was the more likely cause of claimant's injury. In response, claimant testified that she stopped bowling in May of 1994, partly to determine whether the bowling was the cause of her symptoms. According to claimant, her symptoms worsened during her work activities regardless of her bowling. She acknowledges that the bowling also produced symptoms but the bowling did not produce symptoms worse than the work activities. The only expert medical opinion on the issue is that of Dr. Crook. Dr. Crook indicates it is difficult to determine whether carpal tunnel syndrome has originated from work as opposed to bowling. She concludes, however, that with symptoms involving both hands, it is less likely that it is attributable to the bowling alone. We understand her report to express her opinion that the work was likely a cause of her symptoms.

Respondent argues that Dr. Crook did not have a complete history of claimant's bowling activities. The record does not indicate precise details of the history Dr. Crook had. The record does confirm that Dr. Crook did not know the number of times claimant could have lifted a bowling ball. Nevertheless, the opinion of Dr. Crook remains the only medical opinion on the critical issue. Respondent also has produced evidence indicating that claimant did not perform the room cleaning function, except occasionally. According to the respondent's witness, claimant supervised and checked the work of others.

In spite of the serious issues raised by respondent's evidence, the Appeals Board concludes that at this stage of the proceedings the Order of the Administrative Law Judge should be affirmed. The opinion of Dr. Crook is, as indicated, at this point the only medical opinion in evidence. The Administrative Law Judge had the opportunity to observe and evaluate the credibility of the witnesses. After doing so, the Administrative Law Judge granted claimant's request. The Appeals Board, therefore, finds and concludes that the Order of the Administrative Law Judge should be affirmed.

WHEREFORE, it is the finding, decision, and order of the Appeals Board that the Order of Administrative Law Judge Nelsonna Potts Barnes, dated August 11, 1995, should be, and is hereby, affirmed.

IT IS SO ORDERED.

Dated this ____ day of November, 1995.

BOARD MEMBER

BOARD MEMBER

BOARD MEMBER

c: David H. Farris, Wichita, Kansas
Kim R. Martens, Wichita, Kansas
Nelsonna Potts Barnes, Administrative Law Judge
Philip S. Harness, Director